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January 12, 2010

**ECF Filing and First Class Mail**

The Honorable Robert D. Drain  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
300 Quarropas Street  
White Plains NY 10601

Re: In re: Reader's Digest Association, Inc., et al.  
Ch. 11 Case No. 09-23529 (RDD) (Jointly Administered)

Dear Judge Drain:

It has just come to our attention that the decision DBSD North America, Inc., 2009 WL 3491060, No. 09-13061 (REG) (Bankr. S.D.N.Y. 2009), which we cited in the objection to confirmation filed by this firm on behalf of the RD Retiree Group, LLC, and which the Debtors also cite in their reply, is currently on appeal to the District Court for the Southern District of New York, Case No. 09-cv-10156 (LAK), on the issue of the "gift doctrine" as it affects the absolute priority rule.

Respectfully submitted,

/s/ Christopher R. Belmonte

Christopher R. Belmonte

cc: Nicole Greenblatt, Esq. (by email)  
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